

82D CONGRESS
1st Session

HOUSE OF REPRESENTATIVES

REPORT
No. 590

SISTER BERTHA PFEIFFER AND SISTER ELZBIETA
ZABINSKA

JUNE 19, 1951.—Committed to the Committee of the Whole House and ordered
to be printed

Mr. WALTER, from the Committee on the Judiciary, submitted the
following

REPORT

[To accompany S. 470]

The Committee on the Judiciary, to whom was referred the bill (S. 470) for the relief of Sister Bertha Pfeiffer and Sister Elzbieta Zabinska, having considered the same, report favorably thereon with amendment and recommend that the bill do pass.

The amendment is as follows:

On page 2, line 1, after the words "two numbers", strike out the remainder of the bill and insert in lieu thereof the following:

from the number of displaced persons who shall be granted the status of permanent residence pursuant to section 4 of the Displaced Persons Act, as amended (62 Stat. 1011; 64 Stat. 219; 50 U. S. C. App. 1953).

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Sister Bertha Pfeiffer and Sister Elzbieta Zabinska. Provision is made for appropriate quota deductions and for the payment of the required visa fees and head taxes.

The bill is amended in accordance with established precedents.

GENERAL INFORMATION

The beneficiaries of the bill are Catholic nuns presently attached to the Sodality of St. Peter Claver. Sister Bertha Pfeiffer last entered the United States on July 23, 1947, and Sister Elzbieta Zabinska last entered the United States on November 12, 1948. Although they are natives of Czechoslovakia and Poland respectively, they entered the United States following an extended stay in Italy and therefore would be unable to adjust their status under the provisions of section

4 of the Displaced Persons Act. The beneficiaries of the bill are employed in the print shop at the convent in St. Paul and are assisting with other missionary work. The nuns at the convent of the Sodality of St. Peter Claver are engaged in printing religious books for the natives of Africa and a monthly religious magazine. It is stated that their services are necessary for the continuation of this work.

A letter dated December 18, 1950, to the chairman of the Senate Committee on the Judiciary from the Deputy Attorney General with reference to S. 3933, which was a bill introduced in the Eighty-first Congress for the relief of the same aliens, reads as follows:

DECEMBER 18, 1950.

HON. PAT McCARRAN,
Chairman, Committee on the Judiciary,
United States Senate, Washington, D. C.

MY DEAR SENATOR: This is in response to your request for the views of the Department of Justice relative to the bill (S. 3933) for the relief of Sister Berta Pfeiffer and Sister Elzbieta Zabinska, aliens.

The bill would provide that Sister Berta (Bertha) Pfeiffer and Sister Elzbieta Zabinska shall be considered to have been lawfully admitted to the United States for permanent residence as of the date of their last entry, upon payment by them of the required head taxes and visa fees. It would also direct the Secretary of State to instruct the quota-control officer to deduct the required numbers from the appropriate immigration quotas.

The files of the Immigration and Naturalization Service of this Department disclose that the aliens are Roman Catholic nuns, members of the Sodality of St. Peter Claver, and that they are presently residing at the home of their order in St. Paul, Minn. Sister Berta Pfeiffer is a native of Czechoslovakia, having been born on February 24, 1895, in Ottowitz, Bohemia, which at that time was part of the Austro-Hungarian Empire. She stated that it became a part of Czechoslovakia after World War I, at which time she became a citizen of that country. She also stated that her parents were forced to leave Czechoslovakia for Germany in 1946, and that she believes she lost her Czechoslovakian citizenship through action of the Republic of Czechoslovakia in August 1945, because she is of German descent. She now claims to be stateless. Coming from Italy, she entered the United States at the port of New York on July 23, 1947, when she was admitted as a temporary visitor for a period of 6 months under section 3 (2) of the Immigration Act of 1924. She was granted an extension of her temporary stay until April 10, 1948, but her application for preexamination, submitted on February 11, 1948, was denied. On October 12, 1948, she applied for adjustment of her status under the Displaced Persons Act of 1948. This was denied, on the ground that she did not establish that she is unable to return to Italy, the country of her last residence, because of persecution, or fear of persecution, on account of race, religion, or political opinion. The alien stated that she left Czechoslovakia in October 1921, for Salzburg, Austria, to become a nun, and that she left Austria for Italy in 1929, where she remained until coming to this country. She further stated that she has been employed at the convent in St. Paul as a printing-press operator, and assisting with other missionary work. It appears that the nuns at the convent of the Sodality of St. Peter Claver are engaged in printing religious books for the natives of Africa and a monthly religious magazine. The alien's mother, three brothers and a sister reside in Germany.

Elzbieta Zabinska is a native and citizen of Poland, having been born in Borszyszkowa, Chojnice, Poland, on September 13, 1919. Coming from Argentina, she entered the United States at the port of Baltimore, Md., on November 12, 1948, when she was admitted as a visitor until May 11, 1949, under section 3 (2) of the Immigration Act of 1924. She was granted one extension of her temporary stay until May 11, 1950. The alien stated that she lived in her birthplace until 1936, when she proceeded to Vienna, Austria, where she resided until September 1939. In 1939 she proceeded to Rome, Italy, where she remained until February 1947, at which time she went to Buenos Aires, Argentina. She is presently engaged in assisting in the print shop, and with other missionary work at the convent in St. Paul. Her mother resides in Poland.

The quotas of Czechoslovakia and Poland, to which the aliens are chargeable, are oversubscribed for many years and immigration visas are not readily obtain-

able. The record presents no facts, however, which would justify granting them exemptions from the requirements of the general immigration laws.

Accordingly, the Department of Justice is unable to recommend enactment of the bill.

Yours sincerely,

PEYTON FORD,
Deputy Attorney General.

Senator Edward J. Thye, the author of the bill, has submitted the following information in connection with the case:

UNITED STATES SENATE,
Washington, D. C., August 16, 1950.

Hon. PAT McCARRAN,
*Chairman, Committee on the Judiciary,
United States Senate, Washington, D. C.*

DEAR SENATOR McCARRAN: I am glad to respond to your letter of August 14 requesting information concerning the persons for whom relief is intended under S. 3933, which I have introduced. Since the bill affects two persons, I shall list the information for each one as follows:

Sister Bertha Pfeiffer: (1) Arrived in United States, at New York, July 23, 1947, under Red Cross travel document, issued in Rome, June 10, 1947. (2) She is a sister of the Sodality of St. Peter Claver, and resides at the convent of that order in St. Paul. (3) She earns her living as a member of this order, and is head of its printing department. (4) She is not engaged in any activities injurious to the American public interest. (5) She has never been convicted of an offense under State or Federal law.

Sista Elzbieta Zabinska: (1) Arrived in the United States, at Baltimore, Md., November 12, 1948, under visitor's visa which has been extended. (2) She is a sister of the Sodality of St. Peter Claver, and resides at the convent of that order in St. Paul. (3) She earns her living as a member of this order, and works in its printing department. (4) She is not engaged in any activities injurious to the American public interest. (5) She has never been convicted of an offense under State or Federal law.

For the information of the committee I enclose copies of letters from Mr. Bruce M. Mohler of the National Catholic Welfare Conference and from Sister Hildegarde, superior of the Missionary Sisters of St. Peter Claver, 123 West Isabel Street, St. Paul 7, Minn.

In view of the fact that administrative relief to establish the immigration status of these worthy persons is not available, I respectfully urge the Committee on the Judiciary to give favorable consideration to S. 3933.

Sincerely yours,

EDWARD J. THYE,
United States Senator.

NATIONAL CATHOLIC WELFARE CONFERENCE,
Washington, D. C., July 17, 1950.

Senator EDWARD J. THYE,
Senate Office Building, Washington, D. C.

DEAR SENATOR THYE: In accordance with your request for data concerning two members of the Sisters of St. Peter Claver, Sister Ruperta (Bertha Pfeiffer) and Sister Isabel (Elzbieta Zabinska), we are now pleased to send you a letter regarding each received from Sister Hildegarde as superior of the Missionary Sisters of St. Peter Claver with address at 123 West Isabel Street, St. Paul 7, Minn.

As you no doubt already know, this community is doing marvelous work in support of the Catholic missionary activities in Africa devoting their special attention to the colored people in that country. The headquarters in St. Paul has for years been busily engaged in sending out brochures and printed matter which is of great value in missionary work. They are extremely devoted to the cause and we note from Sister Hildegarde's letter that both of these sisters in whom you expressed an interest are expert printers and that their presence in St. Paul is very necessary for the conduct of a splendid work which the Sodality of St. Peter Claver is performing.

It might be well to add that Archbishop Murray is particularly interested in this group and has so expressed himself on occasions in letters to our bureau; and furthermore that both of these sisters would be unable to return to the United

States with quota visas due to the fact that the annual quotas for their respective countries of birth (Austria and Poland) are far oversubscribed.

Hoping that your proposed bill will receive the attention in Congress which it deserves and grateful for your kind interest and courtesy, I remain,

Very respectfully yours,

BRUCE M. MOHLER,
Director, Bureau of Immigration.

THE SODALITY OF ST. PETER CLAVER FOR THE AFRICAN MISSIONS,
St. Paul, Minn., July 10, 1950.

MR. BRUCE M. MOHLER,
*Director, National Catholic Welfare Conference
Bureau of Immigration, Washington 5, D. C.*

DEAR MR. MOHLER: Mr. Louis A. Villaume informed us today that you asked for details concerning Sister Elzbieta (Isabel) Zabinska. We can give you the following data:

Her name is Elzbieta Zabinska. Since she was for some time in South America before coming to the United States, her name appears on some of her documents as Isabel. Her name in religion is Sister Bobola Zabinska.

She was born at Boryszkowo, County Chojnice, Poland, on September 13, 1919. She arrived in the United States at Baltimore, Md., by steamship *Artillero* (a freighter) on November 12, 1948.

She was for some time in our convent in St. Louis, Mo., and is now here in St. Paul, Minn.

She obtained her visitor's visa at Buenos Aires, Argentina, on February 5, 1947, for 6 months and had it extended till May 11, 1950. We are now appealing for another extension of 6 months.

We should appreciate it very much if Sister Bobola would be allowed to stay with us. She is working in our printing shop, where we have in all but four sisters, one of whom will be transferred in a short time to one of our other convents. That would leave but three sisters. It is therefore very necessary that Sister Bobola remains in order to keep our printing work going. Even with our four sisters at present, we are too short on workers. Sister Bobola is a very good and intelligent worker and does her work quickly. We should miss her very much and our work would suffer a great drawback if she had to leave the country.

We should be very grateful to you if you could obtain for us the great favor that we could keep Sister Bobola here. We also know that she loves this country and that she would, if allowed to stay, apply for her citizenship as soon as the prescribed time would elapse.

Yours very sincerely,

SISTER HILDEGARDE,
Missionary Sisters of St. Peter Claver.

THE SODALITY OF ST. PETER CLAVER FOR THE AFRICAN MISSIONS,
St. Paul, Minn., July 10, 1950.

MR. BRUCE M. MOHLER,
*Director, National Catholic Welfare Conference, Bureau of Immigration,
Washington 5, D. C.*

DEAR MR. MOHLER: These are the data you are so kindly requesting concerning Sister Ruperta Pfeiffer.

Her name in the world was: Bertha Pfeiffer, her name in religion is Sister Ruperta Pfeiffer.

She was born in Ottowitz, Bohemia, at that time Austria, on February 24, 1895. With all the changes of government in that country and the vicissitudes our poor sisters had to go through in Europe during that time of terror, she was to her distress declared a German citizen and as such she must now much against her will declare herself, according to the travel document and other documents made out for her. On account of those unfortunate facts, she is really without country. It was tried to procure a Bohemian passport for her, but it is absolutely not possible to get for her a recognition by her country government.

Sister Ruperta arrived in the United States at New York, N. Y., by steamship *Marine Falcon*, on July 23, 1947.

She traveled on a Red Cross travel document, issued in Rome, Italy, on June 10, 1947.

In the United States Sister Ruperta lived in our convent in St. Paul, Minn.

Sister Ruperta is an expert printer, and at the head of our printing department here in St. Paul. If she had to leave the country, we should have no other sister to take her place. Besides, we are very short on sisters in our printing department, and if she had to leave only three would be left, none of whom would be able to take over the direction of the printing plant. She is a very able and diligent worker.

If allowed to stay, Sister Ruperta would most willingly apply for her citizenship as soon as prescriptions would allow her, because she admires and loves this country and its principles.

We should be very grateful to you, if you could do anything in this matter, so that Sister Ruperta could stay and our society's mission work would not suffer any damage from her being obliged to leave.

Yours very sincerely,

Sister HILDEGARDE,
Missionary Sisters of St. Peter Claver.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (S. 470), as amended, should be enacted.

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